



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,994	07/21/2003	Graham A. Wheeler	30835/303114	5501
45373	7590	05/01/2007		
MARSHALL, GERSTEIN & BORUN LLP (MICROSOFT)			EXAMINER	
233 SOUTH WACKER DRIVE			TO, BAOTRAN N	
6300 SEARS TOWER			ART UNIT	PAPER NUMBER
CHICAGO, IL 60606			2135	
		MAIL DATE	DELIVERY MODE	
		05/01/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/623,994	WHEELER, GRAHAM A.
	<b>Examiner</b>	<b>Art Unit</b>
	Baotran N. To	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 February 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 9-18 and 31-38 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8 and 19-30 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07/21/2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### *Docketing*

1. Please note that the application has been re-docketed to a different examiner.  
Please refer all future communications regarding this application to the examiner of record using the information supplied in the final section of the Office action.

### *Election/Restrictions*

2. Applicants elected Group I (Claims 1-8 and 19-30) without traverse. Claims 9-18 and 31-38 are drawn on the non-elected group.

Claims 1-38 are pending in the application.

### *Claim Objections*

3. Claim 19 is objected to because of the following informalities: "a namespace of the owner" in line 5 should be a namespace of an owner. Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 19-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 19-22 are directed to a data structure that is descriptive material per se and is not statutory because it is not capable of causing functional change in the computer (See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760).

Claims 23-30 are directed to a computer readable medium. The specification is defined that "communication media typically embodies computer readable instructions, data structures, program modules or other data in a modulated data signal such as a carrier wave or other transport mechanism and includes any information delivery media" (Paragraph 0021). A claim signal has no physical structure, does not itself perform any useful, concrete and tangible result (See Guidelines for Examination of Patent Applications).

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8 and 19-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeager et al. (U.S. Patent Application Publication 2003/0070070 A1) hereinafter Yeager.

Regarding Claims 1 and 23, Yeager discloses a method of enabling lookups between connected devices (Figures 1A and 1B), the method comprising:

generating one or more cryptographic keys (i.e., public keys) associated with a namespace (i.e., peer, URIs) (paragraphs 0017, 0019 and 0164);

creating an authority (i.e., peer identity, UUID) using one of the cryptographic keys (paragraph 0162);

enabling one or more namespaces to refer to the authority via requesting authorities associated with the one or more namespaces to issue a peer-to-peer type resolution so that names of the namespaces resolve to the authority (paragraphs 0152 and 0164); and

for any other namespaces to which communication is desired, issuing a resolution that names the authority (paragraph 0203) and one or more names associated with the other namespaces to resolve to one or more of the other authorities (paragraphs 0162, 0164, and 0203).

Regarding Claims 2 and 24, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the connected devices are part of a peer-to-peer network cloud (Figures 1A, 1B, 2A, and 2B).

Regarding Claims 3 and 25, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the peer-to-peer type resolution means that for one or more namespaces S.sub.1, S.sub.2 . . . S.sub.N with names N.sub.1, N.sub.2 . . . N.sub.N for which communication and referencing is desired a request to authorities is made for the namespaces to issue ([S.sub.1] N.sub.1) → A, ([S.sub.2].N. sub.2) →A . . .

([S.sub.N].N.sub.N). → A so that the names N.sub.1, N.sub.2 . . . N.sub.N resolve to the authority (paragraphs 0152 and 0164).

Regarding Claims 4 and 26, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses for any services, publishing the authority and a service name to receive an end result that provides data (paragraphs 0233-0234).

Regarding Claims 5 and 27, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses for any services, publishing the authority and a service name to receive an IP address, a protocol name and a port (paragraph 0199).

Regarding Claims 6 and 28, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses dynamically changing one or more addresses associated with the authority via delegating the authority to another name associated with one or more added addresses (paragraphs 0203 and 0311).

Regarding Claims 7 and 29, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the lookup resolves to one of arbitrary data, hosts and services (paragraph 0372).

Regarding Claims 8 and 30, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein creating the authority includes performing a

hash of the cryptographic key, the cryptographic key being a public key from a private key-public key pair (paragraph 0162).

Regarding Claim 19, Yeager discloses a data structure for implementing a name resolution protocol, the data structure comprising:

an authority component (i.e., CA) associated with a public key (i.e., public keys), the public key being part of a private key-public key pair (paragraphs 0017 and 0162); and

a name component (peer to peer associated with a namespace (i.e., peer, URIs) of the owner of the private key-public key pair, wherein the authority component and the name component are capable of resolving to a second authority or to an address of a machine (paragraphs 0017 and 0164).

Regarding Claim 20, Yeager discloses the limitations of Claim 19 above. Yeager further discloses wherein the authority component and the name component are capable of resolving to a port number, protocol name, and IP address (paragraph 0199).

Regarding Claim 21, Yeager discloses the limitations of Claim 19 above. Yeager further discloses wherein the authority component and the name component are capable of resolving to arbitrary data (paragraph 0372).

Regarding Claim 22, Yeager discloses the limitations of Claim 19 above. Yeager further discloses wherein one or more of an IP address, protocol name and port can be retrieved from a cache (paragraphs 0219, 0233 and 0315).

***Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yeager et al. (U.S. Patent Application Publication 2003/0070070 A1) discloses peer-to-peer name resolution protocol (PNRP) security infrastructure and method.

This Prior Art also could read on the Claims 1-8 and 19-30.

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baotran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BT  
04/23/2007



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100